

PATENT

Case Docket No. ACULSR.005CP1
Date: November 16, 2004



IPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Luis De Taboada et al.

Appl. No. : 10/682,379

Filed : October 9, 2003

For : DEVICE AND METHOD FOR
PROVIDING PHOTOTHERAPY
TO THE BRAIN

Examiner : Unknown

Group Art Unit : 3739

Certificate of Mailing

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Mail Stop Amendment, P.O. Box 1450, Alexandria, VA 22313-1450, on

November 16, 2004

(Date)

Bruce S. Itchkawitz, Reg. No. 47,677

TRANSMITTAL LETTER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) A Supplemental Information Disclosure Statement.
- (X) A PTO Form 1449 citing nine (9) references, with copies of five (5) references.
- (X) Return prepaid postcard.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.

Bruce S. Itchkawitz
Registration No. 47,677
Attorney of Record
Customer No. 20,995
(949) 760-0404

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Applicant : Luis De Taboada et al.
App. No. : 10/682,379
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Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed is form PTO-1449 listing nine (9) references. Copies of disclosed U.S. patents and/or publications are not included pursuant to PTO waiver of the requirement under 37 C.F.R. § 1.98(a)(2)(i) for applications filed after June 30, 2003. Copies of other references, if listed, are enclosed.

This Supplemental Information Disclosure Statement is being filed before the receipt of a first Office Action on the merits, and presumably no fee is required in accordance with 37 C.F.R. § 1.97(b)(3). If a first Office Action on the merits was mailed before the mailing date of this Statement, the Commissioner is authorized to charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 11/16/04

By:

Bruce S. Itchkawitz
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Attorney of Record
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(949) 760-0404

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. ACULSR.005CP1	APPLICATION NO. 10/682,379
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT		APPLICANTS Luis De Taboada et al.	
(USE SEVERAL SHEETS IF NECESSARY)		FILING DATE October 9, 2003	GROUP 3739

O I P E
NOV 19 2004
PATENT & TRADEMARK OFFICE

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
1	4,951,653	08/28/90	Fry et al.			
2	6,277,974 B1	08/21/01	Lo et al.			
3	6,363,285 B1	03/26/02	Wey			
4	10/353,130	01/28/03	Co-pending application; Attorney Docket No. ACULSR.037C1			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
5	DE 295 15 096 U1	01/18/96	Germany				
6	EP 0 130 950	04/11/90	Europe				
7	WO 96/36396	01/09/97	WIPO				

EXAMINER INITIAL	OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)	
8	Mochizuki-Oda, Noriko, et al., <i>Effects of near-infra-red laser radiation on adenosine triphosphate and adenosine diphosphate contents of rat brain tissue</i> , Neuroscience Letters, Vo. 323, 2002, pp. 207-210.	
9	<i>Optical Properties of Tissues with Strong (Multiple) Scattering</i> , source unknown.	

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EXAMINER	DATE CONSIDERED
*EXAMINER: INITIAL IF CITATION CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP 609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED, INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.	